

INITIATIVE 604

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that the attached is a true and correct copy of Initiative Measure No. 604 to the People as it was received by this office.

1 AN ACT Relating to attorneys; amending RCW 2.48.220; adding new
2 sections to chapter 2.48 RCW; adding a new section to chapter 29.15
3 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** For the purposes of sections 2 and 3 of this
6 act, "staff attorney" means an attorney who is on a fixed salary for a
7 specific client, including, but not limited to, an attorney who is a
8 salaried worker for a corporation or a member of a government legal
9 staff.

10 NEW SECTION. **Sec. 2.** If an attorney's bill for services increases
11 by more than five hundred dollars, the attorney shall obtain a written
12 authorization for the increase from all persons who are financially
13 involved in the payment of the bill. This section does not apply to a
14 staff attorney.

15 NEW SECTION. **Sec. 3.** An attorney may not require a client to pay
16 disputed attorneys' fees without a fair hearing. A dispute under this
17 section must be settled by a panel of at least five citizens chosen at

1 random from the county's master jury list. The decision of the panel
2 may not be appealed.

3 NEW SECTION. **Sec. 4.** An attorney or officer of the court that
4 violates section 2 or 3 of this act is guilty of a class A felony
5 punishable by at least five years in prison and a fifty thousand dollar
6 fine.

7 **Sec. 5.** RCW 2.48.220 and 1921 c 126 s 14 are each amended to read
8 as follows:

9 An attorney or counselor may be disbarred or suspended for any of
10 the following causes arising after his or her admission to practice:

11 (1) His or her conviction of a felony or misdemeanor involving
12 moral turpitude, in which case the record of conviction shall be
13 conclusive evidence.

14 (2) Willful disobedience or violation of an order of the court
15 requiring him or her to do or forbear an act connected with, or in the
16 course of, his or her profession, which he or she ought in good faith
17 to do or forbear.

18 (3) Violation of his or her oath as an attorney, or of his or her
19 duties as an attorney and counselor.

20 (4) Corruptly or willfully, and without authority, appearing as
21 attorney for a party to an action or proceeding.

22 (5) Lending his or her name to be used as attorney and counselor by
23 another person who is not an attorney and counselor.

24 (6) For the commission of any act involving moral turpitude,
25 dishonesty or corruption, whether the same be committed in the course
26 of his or her relations as an attorney or counselor at law, or
27 otherwise, and whether the same constitute a felony or misdemeanor or
28 not; and if the act constitute a felony or misdemeanor, conviction
29 thereof in a criminal proceeding shall not be a condition precedent to
30 disbarment or suspension from practice therefor.

31 (7) Misrepresentation or concealment of a material fact made in his
32 or her application for admission or in support thereof.

33 (8) Disbarment by a foreign court of competent jurisdiction.

34 (9) Practicing law with or in cooperation with a disbarred or
35 suspended attorney, or maintaining an office for the practice of law in
36 a room or office occupied or used in whole or in part by a disbarred or
37 suspended attorney, or permitting a disbarred or suspended attorney to

1 use his or her name for the practice of law, or practicing law for or
2 on behalf of a disbarred or suspended attorney, or practicing law under
3 any arrangement or understanding for division of fees or compensation
4 of any kind with a disbarred or suspended attorney or with any person
5 not a licensed attorney.

6 (10) Gross incompetency in the practice of the profession.

7 (11) Violation of the ethics of the profession.

8 (12) Running for public office under section 6 of this act.

9 NEW SECTION. Sec. 6. A new section is added to chapter 29.15 RCW
10 to read as follows:

11 An attorney running for the legislature or a public office that
12 formulates statutes may not practice law for a period of a maximum of
13 five years in that jurisdiction.

14 NEW SECTION. Sec. 7. Sections 1 through 4 of this act are each
15 added to chapter 2.48 RCW.

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